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**Before the
Federal Communications Commission
Washington, D.C. 20554**

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**FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY**

In the Matter of

**Billed Party Preference for
InterLATA 0+ Calls**

CC Docket No. 92-77

**McLEODUSA TELECOMMUNICATIONS SERVICES, INC.
CONSOLIDATED COMMUNICATIONS TELECOM SERVICES, INC.
CONSOLIDATED COMMUNICATIONS PUBLIC SERVICES, INC. AND
CONSOLIDATED COMMUNICATIONS OPERATOR SERVICES, INC.
JOINT PETITION FOR WAIVER**

McLeodUSA Telecommunications Services, Inc., Consolidated Communications Telecom Services, Inc., Consolidated Communications Public Services, Inc. and Consolidated Communications Operator Services, Inc. (the "Applicants") by their undersigned counsel, hereby request a waiver of the July 1, 1998, implementation date of Sections 64.703 and 64.710 of the Commission's Rules, which requires the provision of on-demand rate information for non-access code calls.¹ The Applicants request the Commission to extend the time in which such rate information must be provided to October 1, 1999, the date by which Operator Service Providers ("OSPs") that rely on store and forward technology must comply with these same rules.

I. INTRODUCTION

Although the Applicants have diligently attempted to comply with the implementation date set by the Commission's Order,² with the deadline rapidly approaching, the Applicants have

¹ The Applicants, all wholly-owned subsidiaries of McLeodUSA, Inc., provide operator services utilizing the same network.

² See *Billed Party Preference for InterLATA 0+ Calls*, Second Report and Order and Order on Reconsideration, CC Docket No. 92-77, released January 29, 1998 ("Order").

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determined that they will not be able to conform their systems to provide real-time rate quotes by July 1, 1998. As the industry unanimously informed the Commission during this proceeding, no technology currently exists to provide such real-time rate information, and the Applicants have been unable to procure a vendor to develop the software in the short timeframe required by the Commission's Order. Moreover, once the software is developed, the Applicants will need additional time for implementation and testing to ensure that the software works properly and does not disrupt their network. Accordingly, the Applicants request a waiver to extend the implementation date to October 1, 1999. Although the Applicants will diligently attempt to implement these new requirements prior to that date, the extension of time is essential to permit the Applicants to develop, implement and test the technology necessary for complying with the Commission's rules.

In addition, one of the Applicants, Consolidated Communications Operator Services, Inc. ("Consolidated Communications") is a reseller of OSP services to a number of other carriers. Because Consolidated Communications is unable to comply with the Commission's July 1, 1998 deadline, its customers, who are dependent on Consolidated Communications' services also will not be able to comply.

II. GOOD CAUSE EXISTS TO GRANT THE APPLICANTS' WAIVER REQUEST

Section 1.3 of the Commission's rules, 47 C.F.R. §1.3, provides that the Commission may waive any provision of its rules "if good cause therefor is shown." In addition, the Commission, in its Order, specifically anticipated that waivers may be justified. As the Commission stated, "we are prepared to consider waiver requests on a specific factual showing of good cause."³ In this instance,

³ Order, at ¶ 27.

the Applicants have good cause to justify an extension of the July 1, 1998 deadline to provide on-demand rate quotes to their customers. Although the Applicants have made diligent efforts to develop the necessary technology to provide the required on-demand rate quotes, the technology must be created from the ground level, and the five months permitted by the Commission's Order is not sufficient for the vast amount of work necessary to develop such software, not to mention the needed implementation and testing required to ensure end users are not inconvenienced or inhibited from completing non-access calls. Accordingly, an extension of time is essential.

A. The Applicants' Networks Are Unable to Quote Rates on a Real-Time Basis

The Commenters in this proceeding were in agreement that no technology currently exists to provide on-demand rate disclosure on non-access operator service calls. Commenters were in further agreement that due to the absence of existing technology it would take substantial time to develop and implement such technology. The Applicants are no exception to this rule. The Applicants' networks currently lack the ability to provide on-demand rate quotes and the development of such technology will not be completed for a number of months.

The Applicants currently provide operator services through two different types of networks. Services are provided either through a live operator platform or an automated platform. Currently, these platforms do not store any rate information or interface. Each platform, however, does interface with a Multiplex Validator Unix Server ("MTV") that performs LIDB database dips for each call routed through a platform, but the MTV also does not presently store rate information. At the current time, rate information is stored in an AS/400, which has a database containing all of the various rate tables.

To comply with the Commission's rules and provide rate information on a real-time basis,

the Applicants must develop technology to allow the AS/400 to interface with the MTV, to permit the MTV to access the AS/400 database, similar to how the MTV currently accesses the LIDB database. The MTV will then be able to pass the rate information to each platform, allowing the information to be provided to the customer on a real-time basis. The Applicants have hired Cyberlog, Inc. as the outside vendor to help develop the software to allow the MTV to interface with the AS/400, but because no software with these capabilities currently exist, Cyberlog will not be able to deliver a product to the Applicants for a number of months. The Applicants had considered other outside vendors, but they were also unable to offer a solution or to develop the software in the required timeframe.

Moreover, once the software is developed, the Applicants will need additional time to implement the software into the current system, which may require some modification to either the software, hardware or Applicants' platforms. The Applicants will also require time to test the software to ensure that it works effectively without causing disruption to the networks or end users. Consumers will not be served if inferior software fails to work properly, and/or prevents consumers from completing their calls. Accordingly, the necessary development and full deployment of workable software throughout the network could likely take nine months to a year, barring any further unforeseen problems.

B. A Waiver of a Period of Fifteen Months is Reasonable

Because of these technical limitations to its implementing on-demand rate quotes on a real-time basis, the Applicants respectfully requests a waiver to permit the implementation of the new rules no later than October 1, 1999. An additional fifteen months is a reasonable extension that will ensure that the Applicants are able to develop the appropriate technology necessary to comply with

the Commission's rules. Moreover, the Commission has already permitted some OSPs such an extension. In its Order, the Commission ruled that OSPs using embedded store and forward equipment will be permitted an additional fifteen months to modify or replace their equipment.⁴ Because the technical hurdles faced by the Applicants are no less complex than those faced by store and forward OSPs, the Applicants should receive a similar waiver. However, the Applicants will continue to work to develop a solution as soon as possible.

III. CONCLUSION

For the reasons stated above, the Applicants request the Commission to grant a waiver extending the time to comply with the Commission's requirement that it provide on-demand rate disclosure for non-access code calls to October 1, 1999.

Respectfully Submitted,



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June 15, 1998

⁴ Order, at ¶ 27.

CERTIFICATE OF SERVICE

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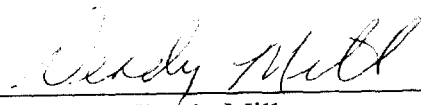
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